

REGISTER OF CLASSIFICATION DECISIONS

Title of Publication: SF30143-srm730\S31884\C\msn\Boy-on-post-in-water01.jpeg

Other Known Title: Not Stated

Format: Computer Image File

Director/Author: Not Applicable

Producer/Publisher: Not Applicable

Country of Origin: Not Stated

Language: Not Applicable

Classification:	Unrestricted.
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Descriptive Note: Not Applicable

Display Conditions: Not Applicable

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Applicant: The District Court at Dunedin

Applicant to the Labelling Body: Not Applicable

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Menu:		
Feature:		
Other timed components:		
Total running time:		

Excisions: Not Applicable

Reasons for excisions:

Not Applicable

**Summary of reasons
for classification:**

The publication entitled *SF30143-srm730\S31884\C\msn\Boy-on-post-in-water01.Jpeg*
is classified as:
Unrestricted.

The computer image file contains a photograph of a boy who is nude. To be considered a "matter such as sex" within the meaning of s3(1) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) the photograph must be reasonably capable of being regarded as sexual in nature. Because the photograph displays none of the characteristics that would cause a reasonable person to regard it as sexual in nature, the photograph cannot fairly be said to pass through the subject-matter gateway of s3(1) of the FVPC Act. The Office of Film and Literature Classification is bound to apply the meaning of "matters such as sex" that is most consistent with the rights set out in section 14 of the New Zealand Bill of Rights Act 1990. The publication is therefore classified as unrestricted.